

U.S. Department of Justice



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United States Attorney
 Southern District of New York

The Silvio J. Mollo Building
 One Saint Andrew's Plaza
 New York, New York 10007

October 24, 2007

10/24/07

MEMO ENDORSED

By Fax

Honorable Colleen McMahon
 United States District Judge
 United States Courthouse
 500 Pearl Street
 New York, N.Y. 10007

Re: United States v. Smith and Taylor
 07 Cr. 972

MATTER SCHEDULED FOR
 ARR AIGMENT ON 11/6/07 AT
 9:30 AM. TIME EXCLUDED
 THROUGH 11/6 IN THE INTEREST
 OF JUSTICE

mjl

Dear Judge McMahon:

On Thursday, October 18, 2007, a Grand Jury sitting in this District returned the above-referenced indictment, which charges the defendants in two counts with conspiring to distribute over fifty grams of crack and with distributing over fifty grams of crack. A copy of the Indictment is attached. The Government writes to request that the Court set a date and time convenient to the Court for the arraignment and initial conference, and to request that the time between today and the conference date be excluded from the Speedy Trial clock to permit the Government to make discovery and to permit the parties to discuss a possible resolution of the case. The Government respectfully submits that the ends of justice served by such a continuance outweigh the best interests of the public and the defendant in a speedy trial pursuant to 18 U.S.C. § 3161(h)(8)(A).

Respectfully submitted,

MICHAEL J. GARCIA
 United States Attorney

By:

J. Brown
 Jeffrey A. Brown
 Assistant United States Attorney
 (212) 637-1110

cc: Ira London, Esq.
 Harold Levy, Esq.